

1 STEVEN G. KALAR
Federal Public Defender
2 ELIZABETH M. FALK
Assistant Federal Public Defender
3 19th Floor Federal Building
450 Golden Gate Avenue
4 San Francisco, CA 94102
(415) 436-7700
5
6 Counsel for Defendant SHELLS

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,)	No. CR 12-831 RS
)	
11 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER FOR CONTINUANCE OF
12 v.)	STATUS CONFERENCE
)	AND EXCLUSION OF TIME
13)	
14 RUBEN QUINTIN SHELLS,)	Date: February 5, 2013
)	Time: 2:30 p.m.
15 Defendant.)	Court: The Honorable Richard Seeborg

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17 The parties hereby stipulate and agree as follows:

- 18 1. This matter is currently set for a status conference on February 5, 2013 at 2:30
19 p.m.;
- 20 2. Defense counsel will not be able to review the forensic discovery before the court
21 date, however, she has an appointment with I.C.E. to review it on February 13,
22 2013. There is little point to having another status conference prior to defense
23 counsel's review of the forensic material. Thus, she requests a continuance to
24 February 19, 2013 at 2:30 pm;
- 25 3. Counsel for the government has been contacted and has no objection to the
26 continuation;

4. The defense thus requests that the status conference be continued to February 19, 2013 at 2:30 p.m.

5. Further, and in light of the foregoing, the parties stipulate and jointly request that time be excluded from the Speedy Trial Act calculations from Tuesday, February 5, 2013 through Tuesday, February 19, 2013 on the grounds of effective preparation of counsel. The parties agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv)..

IT IS SO STIPULATED.

Dated: January 24, 2013

/s/
ELIZABETH M. FALK
ASSISTANT FEDERAL PUBLIC DEFENDER

Dated: January 24, 2013

/s/ _____
J. MARK KANG
SPECIAL ASSISTANT UNITED STATES ATTORNEY

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2
3 **~~PROPOSED~~ ORDER**
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5 For the reasons set forth above, the hearing in the aforementioned matter is hereby
6 CONTINUED from February 5, 2013 to February 19, 2013 at 2:30 p.m.
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8 In addition, for the reasons stated above, the Court finds that an exclusion of time from
9 Tuesday, February 5, 2013 through Tuesday, February 19, 2013 is warranted and that the ends of
10 justice served by the continuance outweigh the best interests of the public and the defendant in a
11 speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A).
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13 **IT IS SO ORDERED.**
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15 DATED: 1/24/13
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17 THE HONORABLE RICHARD SEEBORG
18 UNITED STATES DISTRICT JUDGE
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